



#13/Response  
PATENT  
Att'y Dkt: 12307/100168  
S. Lewis  
10/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In the Application of:** Boesch, B.

**Serial Number:** 09/240,250

**Filing Date:** January 29, 1999

**Title:** System and Method for E-mail Invoked  
Electronic Commerce Using a Wallet

**Group Art Unit:** 3625

**Examiner:** Nguyen, C.

COMMISSIONER FOR PATENTS  
Washington, DC 20231

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GROUP 3600

**RESPONSE TO OFFICE ACTION**

SIR:

The Applicant submits the following remarks to the Office Action mailed July 29, 2002, the three-month shortened statutory period for response expiring on October 29, 2002.

**REMARKS**

The Office Action mailed July 29, 2002 has been carefully reviewed and the following remarks are made in response thereto. Claims 1-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over amazon.com, Inc. in view of Official Notice. Claims 1-79 are pending. This rejection is respectfully traversed.

In view of the following remarks, the Applicant submits that claims 1-79 are allowable over the cited art, and respectfully requests that the Examiner reconsider and withdraw the pending § 103 rejection.

**The Claims Are Allowable Over the Cited Art**

In the first Office Action, mailed January 31, 2002, the Examiner provided a 16-page example of a web site sponsored by Amazon.com, Inc. (i.e., <http://www.amazon.com> et seq.), and cites to this example to allegedly illustrate many of the elements of claims 1-79 (see, Office Action at Paragraph 4). In the pending Office Action, mailed July 29, 2002, the Examiner again cites to "amazon.com, Inc." and maintains his rejection of claims 1-79 (see, Office Action at Paragraph 4). However, the web pages provided by the Examiner depict a printing date of